

**MINUTES OF THE COMMITTEE
ON
TORT REFORM**

Tuesday, May 23, 2006

9:30 a.m.

Room 519, House Office Building

The House Standing Committee on Tort Reform was called to order by the Chair, Representative Elsenheimer.

Members present: Representatives Elsenheimer, Kahn, Gaffney, Huizenga, Hune, Adamini.

Members absent/excused: Representatives McConico, Bieda.

Representative Huizenga moved to approve the minutes of the meeting held on May 2, 2006. Representative Gaffney supported the motion. There being no objection the minutes were approved by unanimous consent.

Chairman Elsenheimer laid SB 689 before the committee:

SB 689	Stamas	Torts; liability; liability of fire department donating fire equipment to other fire departments; limit.
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Chad Wing, from Senator Stamas's office, testified in support of the bill.

Ed Holtcamp, representing the Michigan Association of Fire Chiefs, testified in support of the bill.

Representative Gaffney moved to report SB 689 with recommendation. Representative Kahn supported the motion.

The motion prevailed by a vote of 6-0-0.

FAVORABLE ROLL CALL:

Yeas: Representatives Elsenheimer, Kahn, Gaffney, Huizenga, Hune, Adamini

Nays: None

Pass: None

SB 689 reported out with recommendation

Chairman Elsenheimer laid HB 6072 before the committee:

HB 6072	Elsenheimer	Torts; product liability; standards for nonmanufacturing sellers liability; clarify.
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Dave Murley, from the House Republican Policy Office, explained the bill to the committee.

Ken Fletcher, representing the Michigan AFL-CIO, submitted a card indicating opposition to the bill but did not wish to speak.

Representative Kahn moved to report HB 6072 with recommendation. Representative Huizenga supported the motion.

The motion prevailed by a vote of 5-0-1.

FAVORABLE ROLL CALL:

Yeas: Representatives Elsenheimer, Kahn, Gaffney, Huizenga, Hune

Nays: None

Pass: Representative Adamini

HB 6072 reported out with recommendation

Chairman Elsenheimer laid HB 5851 before the committee:

HB 5851	Gaffney	Torts; personal injury; asbestos and silicosis compensation fairness act; create.
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Jay Bedortha, representing the Michigan Trial Lawyers Association, testified in opposition to the bill. Mr. Bedortha answered questions for the committee.

The following individuals submitted testimony cards on HB 5851 but did not wish to speak:

Todd Cook, representing the Lansing Regional Chamber of Commerce, in support.

Melissa McNiven, representing the Michigan Asbestos Reform Coalition, in support.

Ken Fletcher, representing the Michigan AFL-CIO, in opposition.

Todd Tennis, representing the Negligence Law Section of the State Bar of Michigan, in opposition.

Mr. Tennis also submitted written testimony.

Chuck Hadden, representing the Michigan Manufacturers Association, in support.

Brian Mills, from Chair Elsenheimer's office, explained a proposed substitute (H-1).

Representative Gaffney moved to adopt the substitute (H-1) to HB 5851. Representative Kahn supported the motion.

The motion prevailed by a vote of 5-1-0.

FAVORABLE ROLL CALL:

Yeas: Representatives Elsenheimer, Kahn, Gaffney, Huizenga, Hune

Nays: Representative Adamini

Pass: None

Representative Gaffney moved to report HB 5851, as substitute (H-1), with recommendation. Representative Kahn supported the motion.

The motion prevailed by a vote of 5-1-0.

FAVORABLE ROLL CALL:

Yeas: Representatives Elsenheimer, Kahn, Gaffney, Huizenga, Hune

Nays: Representative Adamini

Pass: None

HB 5851 (H-1) reported out with recommendation

Representative Kahn moved to excuse the absence of Representatives McConico and Bieda. Representative Adamini supported the motion. There being no objection, the motion prevailed by unanimous consent.

There being no further business before the committee, the Chair adjourned the meeting at 10:15 a.m.

Representative Kevin Elsenheimer, Chair_____

Doug Simon, Committee Clerk

House Tort Reform Committee, (517) 373-0015